

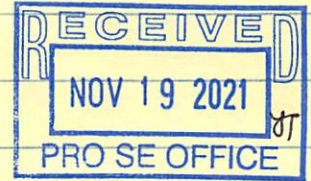
Case Number 1:99-cr-01104-55

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U.S. DISTRICT COURT E.D.N.Y.

★ NOV 19 2021 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
BROOKLYN OFFICE

UNITED STATES OF AMERICA,
Plaintiff - Respondent,



v,

GEORGE VIRUET,
Defendant - Movant

RESPONSE TO GOVERNMENT'S LETTER-BRIEF
ECF. 189

I, George Viruet filed a pro se motion under 28 U.S.C. § 2255. [ECF. 186]. The gist of my argument was: (1) that in light of United States v. Davis, 139 S.Ct. 2319 (2019), my convictions on Counts Three and Four should be vacated because those counts were predicated on a crime of violence that satisfies only Section 924(c)(3)(B), which was invalidated by Davis; and (2) that a news paper article in 2001 constitutes "newly discovered evidence," [ECF. 189 at 1].

In its letter-brief, the Government accurately states the facts concerning my claims. For the reasons mentioned, I agree with the Government's

position. First, the Court should vacate my convictions on Counts Three and Four of the Second Superseding Indictment; and secondly, deny my claim with respect to "newly discovered" evidence

CONCLUSION

Based on the reasons above, the Court should Grant in part and Affirm in part my petition, in accordance to the Government's letter-brief. [ECF. 189].

Respectfully submitted,

George Viruet

Date: 11-11-21

George Viruet

RO1193-748

USP Pollock

P.O. Box 2099

Pollock, LA 71467

CERTIFICATE OF SERVICE

I certify that on 11-11, 2021 I
mailed a copy of the attached Response to
Government's Letter-Brief to:

Richard P. Donoghue
United States Attorney
U.S. Attorney's Office
271 Cadman Plaza East
Brooklyn, NY 11201

Executed on: November 11, 2021

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SHREVEPORT LA 710

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Brooklyn N.Y. 11201

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